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December 27, 1961
Opinion No. 62-5

REQUESTED BY: Honorable Alvin Wessler
House of Representatives

OPINION BY: ROBERT W. PICKRELL
The Attorney General

QUESTION: Is it possible to increase the
number of supervisors on a county
board of supervisors by statutory
law without amending the consti-
tution of the State of Arizona?

CONCLUSION: Yes.

The Arizona Constitution, Art. 12, Sec. 3, provides that:

"Subject to change by law, there are hereby created
in and for each organized county of the State the
following officers . . . three Supervisors"

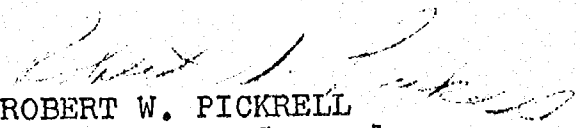
Section 11-211, A.R.S., 1956, implements the Constitutional
section above.

In the case of Amish v. City of Phoenix, 36 Ariz. 21, 282 Pac. 42
(1929), the court said:

". . . in our own Constitution the provisions regard-
ing . . . the officers named therein for the counties
of the state (art. 12, §3) . . . the Constitution it-
self provides they are subject to change by law, and
it has never been considered an amendment of the Consti-
tution for the legislature, in conformity with the
power conferred upon it, to make such a change."

It is our opinion then by a reading of the Constitutional pro-
visions and the aforementioned case, that the legislature has the
power to change the number of supervisors of the counties by statu-
tory enactment, without further Constitutional Amendment.

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